

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

FAIR ISAAC CORPORATION,

Plaintiff-Appellant,

v.

FEDERAL INSURANCE
COMPANY & ACE AMERICAN
INSURANCE COMPANY,

Defendants-Appellees.

No. 25-1340

**UNOPPOSED MOTION FOR 31-DAY EXTENSION OF TIME TO
FILE BRIEF**

Pursuant to Federal Rule of Appellate Procedure 26(b), Appellees Federal Insurance Company and ACE American Insurance Company respectfully request this motion for a 31-day extension of time to file appellees' response brief.

1. The opening brief of appellant Fair Isaac Corporation (FICO) was accepted for filing on May 21, 2025. FICO obtained a 30-day extension of time for the filing of its opening brief.

2. Appellees' response brief is due June 20, 2025.

3. Appellees respectfully request that this Court extend the deadline for their response brief to Monday, July 21, 2025. Appellees have not previously requested an extension of time.

4. Good cause exists for the requested extension. Undersigned counsel has primary responsibility for preparing appellees' brief, and has numerous competing obligations over the coming months, including an oral argument in *Aguila Energia v. JP Morgan Chase & Co.* (2d. Cir. 24-2133) on May 29, 2025; a reply brief in *Estabrook v. Ivy League Council* (D. Mass. No. 1:25-cv-10281-WGY), due May 23, 2025; and a brief in opposition in the Supreme Court of the United States due May 27, 2025.

5. The requested extension is not for purpose of delay, but is necessary in light of the voluminous trial record to ensure that appellees can address all issues diligently to aid the Court in deciding the issues presented.

6. Counsel for FICO states that FICO does not oppose this motion.

Accordingly, appellees respectfully request that the Court grant this extension motion and allow appellees until Monday, July 21, 2025, to file their response brief.

Respectfully submitted,

Dated: May 23, 2025

/s/ Anton Metlitsky
Anton Metlitsky
O'MELVENY & MYERS LLP
1301 Avenue of the Americas
17th Floor
New York, NY 10019
+1 212-326-2291
ametlitsky@omm.com

Leah Godesky
O'MELVENY & MYERS LLP
1999 Avenue of the Stars
8th Floor
Los Angeles, CA 90067
+1 310-246-8501
lgodesky@omm.com

Counsel for Appellees

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A). This motion contains 255 words, excluding the parts exempted by Federal Rule of Appellate Procedure 32(f).

In accordance with Federal Rule of Appellate Procedure 27(d)(1)(E), this motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6). The motion has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Century Schoolbook font.

/s/ Anton Metlitsky
Anton Metlitsky

CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2025, I electronically filed this brief with the Clerk of this Court using the appellate CM/ECF System. The participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

/s/ Anton Metlitsky
Anton Metlitsky